

643-0154 /4819-6097-0375

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Attorneys for Defendants

ERLYN PINEDA-CASTRO

and CDN LOGISTICS, INC.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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FABIO GALEANO

Plaintiff(s),

Docket No.

vs.

ERLYN PINEDA-CASTRO and CDN LOGISTICS,
INC., JOHN DOE (name being fictitious) and ABC
CORPORATION (name being fictitious),

NOTICE OF REMOVAL

Defendant(s).

-----X

Defendants Erlyn Pineda-Castro and CDN Logistics, Inc. allege as follows for their notice of removal:

Commencement Of The Action

1. On or about January 4, 2019, plaintiff Fabio Galeano filed a complaint in a civil action for money damages in New Jersey Superior Court, Middlesex County, under docket no. MID-L-310-19. Exhibit A.

2. Defendants served an answer to the complaint on February 6, 2019. Exhibit B.

Citizenship And Removability

3. This action is removable to this court under 28 U.S.C. section 1441, in that the amount in controversy exceeds the sum of seventy five thousand dollars, exclusive of interest and costs, the citizenship of the parties is completely diverse, no defendant is a citizen of New

Jersey, and this notice is filed within 30 days of defendants' receiving the complaint and notice of the amount in controversy.

4. The citizenship of the parties was at the time the complaint was filed and is now completely diverse under 28 U.S.C. section 1332(a) in that plaintiff is a citizen of New Jersey residing at 219 Murray Street, Elizabeth, New Jersey 07029, defendant CDN Logistics, Inc. is an Illinois corporation with its principal place of business located at 317 West Lake Street, Northlake, Illinois 60164 and defendant Eryln Pineda-Castro is a citizen of New York residing at 150 Washington Street, Apartment 1Y, Hempstead, New York 11550..

5. Neither the summons nor the complaint states the amount plaintiff demands as damages. However, on February 6, 2019, plaintiff's counsel Douglas Burgess informed defendants that plaintiff is claiming a shoulder surgery, wrist fracture and that there is a worker's compensation lien of approximately \$48,000 to date. Based upon our experience, these injuries have a case value which exceeds \$75,000.

6. This notice is timely as it is filed within thirty days of plaintiff's counsel's statement as to damages.

7. The action is removed to this court.

Dated: New York, New York
February 19, 2019

LESTER SCHWAB KATZ & DWYER, LLP
Attorneys for Defendants
ERLYN PINEDA-CASTRO
and CDN LOGISTICS, INC.

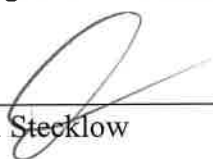
By: 
David S. Stecklow

Declaration of Service

I served the annexed CIVIL COVER SHEET and NOTICE OF REMOVAL by first-class mail on the following persons on February 19, 2019:

ICAZA, BURGESS & GROSSMAN, P.C.
550 Broad Street, Suite 703
Newark, New Jersey 07102
Attorneys for Plaintiff
(973) 799-0700

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 19, 2019.



David S. Stecklow